Acknowledgment and Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant Ent 251375 Bk 429 Pt 906
Date: 09-MAY-2008 2:45PM
Fee: None
Filed By: CT
LES BARKER, Recorder
GARFIELD COUNTY CORPORATION
For: GOVERNOR/STATE OF UTAH

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

Know ye, This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Garfield County as it pertains to the highway located in Garfield County known as BOX SPRING ROAD; County Road Number: 0213B; State Geographic Information Database (SGID) Road Identification Number: RD090049. Total road length is 0.83 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as "Attachment 5."

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

FinalNotice

Page 1 of 2 SGID Road Identification Number RD ID: RD090049

Internet at http://recorded2477roads.utah.gov.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 23rd day of Apric , 2008.

By the Governor's Designee

CERTIFICATION

State of Utah : SS County of Salt Lake

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

PAMELA Z. BLACKHAM

Panela 3. Blacklan
Notary Public

Attachment 1 EP090049003 T32S R10E EP090049002 EP090049001 BOX SPRING ROAD - Garfield County Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 Feb 28, 2008 SGID RD_ID RD090049 Land Ownership Categories Transportation Network BLM Wilderness BOX SPRING ROAD Title V: Issued Or Under Consideration By 8LM Or County Other Roads Private UDWR Wildlife Reserve SITLA, State Trust Land DOD, Military USFS, National Forest State Sovereign Land Photo Event Point State Parks and Recreation National Recreation Area 1:10,316 USFWS, Natl. Wildlife Refuge Tribal, Indian Reservation 1 inch equals 0.2 miles Section = 1 Mile NPS, National Park

Attachment 2







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BOX SPRING ROAD - Garfield County SGID RD_ID RD090049 Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 February 29, 2008



Attachment 3

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: BOX SPRING ROAD

County: Garfield

County Road Number: 0213B

State Geographic Information Database (SGID) Road Identification Number: RD090049.

Total Road Length: 0.83 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 00 minutes 39.48 seconds North Latitude and -110 degrees 48 minutes 31.87 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,839,540.8 feet and Y = 10,332,724.6 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 01 minutes 02.49 seconds North Latitude and -110 degrees 48 minutes 23.58 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,840,187.1 feet and Y = 10,335,056.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 32 South Range 10 East, Section(s) 16,21,22, Salt Lake Base & Meridian See Attachment 1 above for a cartographic depiction of the course of this road.

Attachment 4 Road Centerline Description Cover Page(s)

Popular Name: BOX SPRING ROAD

County: Garfield

County Road Number: 0213B

State Geographic Information Database (SGID) Road Identification Number: RD090049.

Total Road Length: 0.83 miles more or less.

Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).

Road-Segments Listed by SGID Road Identification Number (RD ID)	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
RD090049	001	BLM	0.12 Miles	A
RD090049	002	BLM	0.08 Miles	В
RD090049	003	BLM	0.5 Miles	С
RD090049	004	ST	0.12 Miles	(not shown)
		Total Road Length	0.83	

^{*} Indicates that a Title V permit will be requested, is in process, or has been issued.

[†] Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

Attachment 5

AFFIDAVIT OF FRELAND ALVEY

BOX SPRING ROAD

GARFIELD COUNTY, UTAH

ROAD NUMBER 0213B

State of Utah)	
	: ss.	
County of Garfield)	

FRELAND ALVEY, being first duly sworn, deposes and states as follows:

- 1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Escalante, Garfield County, Utah. I was born and raised in Garfield County and have lived in the county for 74 years. I worked for the Garfield County Roads Department for twelve years from the early 1950s to the mid 1960s.
- 2. I have traveled and am familiar with a road in Garfield County known as Box Spring Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1950s it followed the same route as in the mid 1960s when I last observed it. Attached is a Garfield County map showing Box Spring Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
 - The County also identifies this road according to the road number listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through the mid 1960s. Throughout this time period I observed travel on the road by means of cars, trucks, pickup trucks. During this time period, the road was used daily, weather permitting, for more than ten continuous years prior to 1976.
- 5. Throughout the time period from the early 1950s to the mid 1960s, I used the road myself for county road maintenance and travel in and through the area.

- 6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus livestock operations, hunting, recreation, sightseeing, prospecting for minerals and oil and gas exploration.
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.
- 8. Prior to 1976, I personally graded and performed maintenance and construction work on the road.

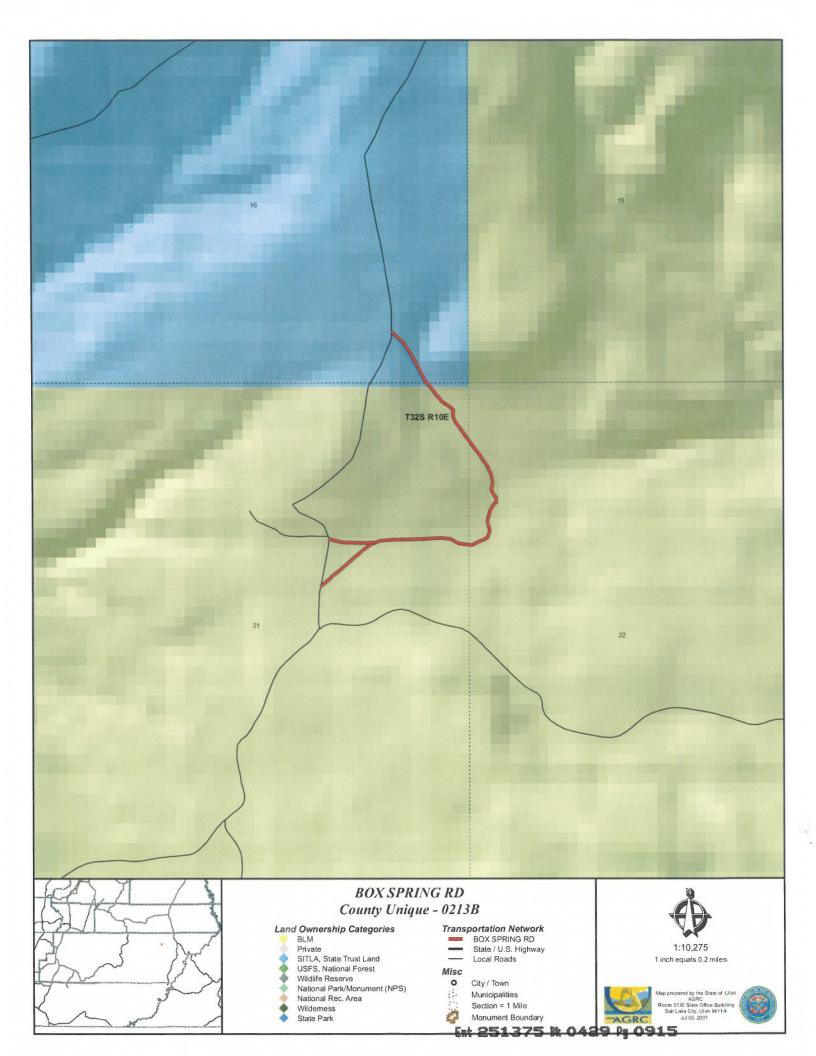
DATED this _// day of July, 2007.

FRELAND ALVEY

SUBSCRIBED AND SWORN to before me this __/_ day of July, 2007.

Notary Public
GLORIA SCHRADER
5110 State Office Bidg.
Salt Lake City. UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PUBLIC



AFFIDAVIT OF ARNOLD ALVEY

BOX SPRING ROAD

GARFIELD COUNTY, UTAH

ROAD NUMBER 0213B

State of Utah)
	: SS.
County of Garfield)

ARNOLD ALVEY, being first duly sworn, deposes and states as follows:

- 1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Escalante, Garfield County, Utah. I was born and raised in Garfield County and have lived in the county for 78 years. I worked for the Garfield County Roads Department seasonally during the 1950s.
- 2. I have traveled and am familiar with a road in Garfield County known as Box Spring Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1950s it followed the same route as in 1987 when I last observed it.

 Attached is a Garfield County map showing Box Spring Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
 - 3. The County also identifies this road according to the road number listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 1976 to 1987. Throughout this time period I have observed travel on the road by means of cars, trucks, pickup trucks and ATVs. Throughout this time period, the road has been used daily, weather permitting, for more than ten continuous years prior to 1976, and was so used in 1987.

5. Throughout the time period from the early 1950s to 1987, I have used the road myself for livestock operations, county road maintenance, hunting, oil and gas exploration, recreation and travel in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus recreation, sightseeing, seismograph work and prospecting for minerals.

7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I participated in county road maintenance work on the road and observed graders and county road maintenance equipment performing maintenance and construction activities on the road.

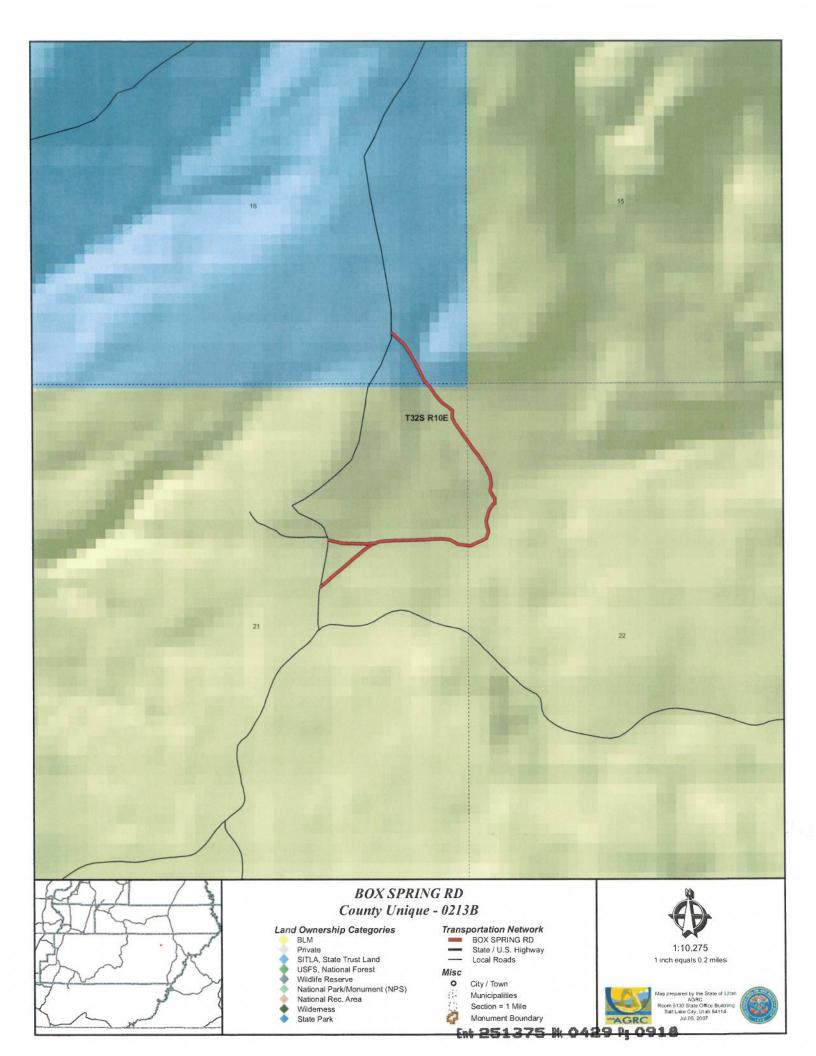
DATED this _// day of July, 2007.

ARNOLD ALVEY

SUBSCRIBED AND SWORN to before me this _____day of July, 2007.

Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PUBLIC



Appendix A to Attachment 4

Popular Name: BOX SPRING ROAD

County: Garfield

County Road Number: 0213B

State Geographic Information Database (SGID) Road Identification Number: RD090049.

Road-Segment Number: 001

Road-Segment Length: 0.12 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 32 South Range 10 East, Section(s) 21, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (BOX SPRING ROAD)-- Segment 001 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 38 degrees 00 minutes 39.48 seconds North Latitude and -110 degrees 48 minutes 31.87 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,839,540.8 feet and Y = 10,332,724.6 feet; thence the following courses along the said road center line:

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thence North 46 Degrees 53 Minutes 48 Seconds East 24.2 feet thence North 49 Degrees 27 Minutes 28 Seconds East 78.2 feet thence North 47 Degrees 22 Minutes 10 Seconds East 24.9 feet thence North 49 Degrees 38 Minutes 24 Seconds East 48.5 feet thence North 50 Degrees 55 Minutes 28 Seconds East 106.9 feet thence North 49 Degrees 00 Minutes 44 Seconds East 126.4 feet thence North 49 Degrees 29 Minutes 08 Seconds East 119.5 feet thence North 54 Degrees 13 Minutes 51 Seconds East 88.2 feet
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thence North 70 Degrees 00 Minutes 08 Seconds East 33.1 feet more or less to the ending point at: 38 degrees 00 minutes 43.46 seconds North Latitude and -110 degrees 48 minutes 25.53 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet

coordinates of X = 1,840,045.1 feet and Y = 10,333,131.0 feet.

Appendix B to Attachment 4

Popular Name: BOX SPRING ROAD

County: Garfield

County Road Number: 0213B

State Geographic Information Database (SGID) Road Identification Number: RD090049.

Road-Segment Number: 002

Road-Segment Length: 0.08 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 32 South Range 10 East, Section(s) 21, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (BOX SPRING ROAD)-- Segment 002 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 38 degrees 00 minutes 43.46 seconds North Latitude and -110 degrees 48 minutes 25.53 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,840,045.1 feet and Y = 10,333,131.0 feet; thence the following courses along the said road center line:

thence South 89 Degrees 41 Minutes 39 Seconds West 22.6 feet thence South 84 Degrees 40 Minutes 52 Seconds West 18.8 feet thence South 76 Degrees 53 Minutes 23 Seconds West 14.8 feet thence South 82 Degrees 51 Minutes 05 Seconds West 16.5 feet thence North 89 Degrees 11 Minutes 23 Seconds West 101.1 feet thence North 88 Degrees 52 Minutes 25 Seconds West 131.3 feet

thence North 75 Degrees 55 Minutes 27 Seconds West 132.1 feet more or less to **the ending point at:** 38 degrees 00 minutes 43.78 seconds North Latitude and -110 degrees 48 minutes 30.93 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,839,612.3 feet and Y = 10,333,159.9 feet.

Appendix C to Attachment 4

Popular Name: BOX SPRING ROAD

County: Garfield

County Road Number: 0213B

State Geographic Information Database (SGID) Road Identification Number: RD090049.

Road-Segment Number: 003

Road-Segment Length: 0.5 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 32 South Range 10 East, Section(s) 21,22, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (BOX SPRING ROAD)-- Segment 003 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 38 degrees 00 minutes 43.46 seconds North Latitude and -110 degrees 48 minutes 25.53 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,840,045.1 feet and Y = 10,333,131.0 feet; thence the following courses along the said road center line:

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thence North 70 Degrees 21 Minutes 34 Seconds East thence North 85 Degrees 02 Minutes 01 Seconds East thence North 88 Degrees 25 Minutes 26 Seconds East thence North 87 Degrees 30 Minutes 50 Seconds East thence North 85 Degrees 52 Minutes 48 Seconds East thence North 85 Degrees 52 Minutes 48 Seconds East thence North 87 Degrees 52 Minutes 48 Seconds East thence North 87 Degrees 31 Minutes 00 Seconds East thence South 83 Degrees 29 Minutes 23 Seconds East thence South 61 Degrees 41 Minutes 42 Seconds East thence South 83 Degrees 08 Minutes 28 Seconds East 93.3 feet thence South 83 Degrees 08 Minutes 28 Seconds East 25.1 feet
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thence North 65 Degrees 51 Minutes 48 Seconds East 101.5 feet
thence North 73 Degrees 44 Minutes 55 Seconds East 11.9 feet
thence North 61 Degrees 01 Minutes 16 Seconds East 47.9 feet
thence North 19 Degrees 42 Minutes 08 Seconds East 64.3 feet
thence North 12 Degrees 14 Minutes 06 Seconds West 23.8 feet
thence North 22 Degrees 06 Minutes 25 Seconds West 10.6 feet
thence North 11 Degrees 19 Minutes 31 Seconds West 63.5 feet
thence North 14 Degrees 05 Minutes 22 Seconds East 101.7 feet
thence North 34 Degrees 26 Minutes 42 Seconds East 63.9 feet
thence North 48 Degrees 16 Minutes 14 Seconds East 22.3 feet
thence North 01 Degrees 19 Minutes 51 Seconds East 46 feet
thence North 41 Degrees 45 Minutes 39 Seconds West 26.3 feet
thence North 29 Degrees 11 Minutes 32 Seconds West 54.4 feet
thence North 09 Degrees 35 Minutes 05 Seconds East 65 feet
thence North 09 Degrees 26 Minutes 40 Seconds West 76.5 feet
thence North 25 Degrees 19 Minutes 21 Seconds West 65.2 feet
thence North 28 Degrees 40 Minutes 29 Seconds West 18.6 feet
thence North 33 Degrees 19 Minutes 46 Seconds West 7.8 feet
thence North 34 Degrees 09 Minutes 57 Seconds West 61.3 feet
thence North 31 Degrees 16 Minutes 10 Seconds West 63.2 feet
thence North 39 Degrees 20 Minutes 28 Seconds West 78.2 feet
thence North 34 Degrees 35 Minutes 33 Seconds West 61.2 feet
thence North 37 Degrees 32 Minutes 27 Seconds West 28.5 feet
thence North 37 Degrees 32 Minutes 25 Seconds West 43.6 feet
thence North 36 Degrees 44 Minutes 28 Seconds West 77.9 feet
thence North 35 Degrees 36 Minutes 30 Seconds West 74.4 feet
thence North 25 Degrees 07 Minutes 34 Seconds West 57.9 feet
thence North 03 Degrees 18 Minutes 29 Seconds East 62.5 feet
thence North 49 Degrees 44 Minutes 49 Seconds West 48 feet
thence North 56 Degrees 53 Minutes 05 Seconds West 77.5 feet
thence North 39 Degrees 16 Minutes 54 Seconds West 92.9 feet
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thence North 34 Degrees 46 Minutes 12 Seconds West 81.1 feet more or less to **the ending point at:** 38 degrees 00 minutes 57.53 seconds North Latitude and -110 degrees 48 minutes 19.24 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,840,538.0 feet and Y = 10,334,557.6 feet.